

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Civil No. 18-1776 (JRT/JFD)

This Document Relates to:

**[PROPOSED] ORDER GRANTING
INDIRECT PURCHASER
PLAINTIFFS' UNOPPOSED
MOTION TO APPROVE THE
MANNER AND FORM OF CLASS
NOTICE**

The Consumer Indirect Purchaser
Plaintiff Action

Before the Court is the Consumer Indirect Purchaser Plaintiffs' Motion to Approve the Manner and Form of Class Notice ("Motion"). The Court finds the notices and notice plan satisfy the requirements of Fed. R. Civ. P. 23(c)(2)(B). The Motion is GRANTED, and the Court hereby ORDERS:

1. Consumer Indirect Purchaser Plaintiffs propose using a combination of direct email notice, digital media, social media, and earned media to deliver notice to potential class members. The Court has reviewed the notice plan, which provides direct notice via email to more than 24 million people as well as publication notice that is estimated to reach 80.3 percent of the class. The Court finds that this notice plan provides the best practicable notice under the circumstances. A.B. Data shall be appointed as the notice administrator for the Consumer Class and shall implement the proposed notice plan, as described in their Motion. Consumers shall maintain a case-specific notice website, to host the claims forms, notice documents, and other information about the case: www.overchargedforpork.com.

2. Consumers have attached to their Motion a proposed short-form and long-form notice. See Exhibits A-B of the Consumers' Motion. The Court has reviewed these notices. The notices use neutral language to describe: (1) the nature of the action; (2) the definition of the certified class; (3) the claims and issues related to the lawsuit; (4) class counsels' identity and contact information; and (4) the binding effect of a judgment on class members. The proposed notices also tell class members that they can opt out of the class by requesting an exclusion before the deadline, sets out the consequences of opting out, and informs them that if they opt out, they may bring their own case through their own attorney, if desired. Except for those potential members of the Consumer Class who file a timely and proper request for exclusion, all Consumer Class Members who fit the description of the Certified Class will be deemed members of the Consumer Class for all purposes in this Action. All members of the Consumer Class shall be bound by the Class Certification Order and by all subsequent proceedings, settlements, orders, and judgments in this Action. In the event of any further pretrial settlement(s), the Class members may not be permitted an additional opportunity to opt out. No Consumer Class member who elects to opt out of the Consumer Class pursuant to these provisions will be entitled to relief under or be affected by any subsequent Consumer Class settlement, if any, or Consumer Class judgment in this Action.

3. The Court sets the following deadlines with respect to class notice:

- a. **The Notice Start Date.** Within 30 days from the entry of this Order, A.B. Data shall begin implementing the Notice Plan.

b. **The Exclusion Deadline.** Class members who wish to opt-out of the class shall request exclusion within 60 days from the Notice Start Date.

c. **Deadline to inform the Court.** Class Counsel shall file a list with the names and addresses of every member who has opted out of the class within 14 days of the Exclusion Deadline.

IT IS SO ORDERED.

DATED: _____

HONORABLE JOHN R. TUNHEIM
CHIEF JUDGE UNITED STATES DISTRICT
COURT